

AN ORDINANCE **97905**

**AUTHORIZING PAYMENT IN THE AMOUNT OF \$113,732.00 FROM 2002 CERTIFICATES OF OBLIGATION TO SBC AND AUTHORIZING CITY PUBLIC SERVICE (CPS) TO APPROPRIATE FUNDS IN THE AMOUNT OF \$754,400.00 FROM THE CPS OVERHEAD CONVERSION FUND FOR THE RELOCATION OF ITS UNDERGROUND FACILITIES IN CONNECTION WITH THE FLORIDA FROM I.H. 37 TO ST. MARY'S PROJECT, LOCATED IN COUNCIL DISTRICT 1; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.**

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**WHEREAS**, the Florida from I.H. 37 to St. Mary's Project involves utility conversion, reconstruction of an existing roadway, curbs, sidewalks and drainage improvements; and

**WHEREAS**, City Public Service Board of Trustees adopted a resolution in 1993 to amend the City Public Service (CPS) budget establishing a fund to finance the conversion of overhead utility lines to underground operations; and

**WHEREAS**, CPS adopted a resolution on June 19, 1995 which provided the definition of eligible projects; and

**WHEREAS**, the Unified Development Code, Chapter 35 of the City Code requires the City Council to declare its intention to establish a Utility Conversion District (UCD); and

**WHEREAS**, this UCD will be located within the area of a civic improvement project already planned; and

**WHEREAS**, this Ordinance provides for conversion of utilities located along Florida from I.H. 37 to St. Mary's and involves conversion of Southwestern Bell Telephone Company (SBC) utilities to underground locations; and

**WHEREAS**, the establishment of this UCD is being submitted individually due to the urgency of the Florida from I.H. 37 to St. Mary's Project and the need to move the project forward; and

**WHEREAS**, CPS will be funding \$754,400.00 out of the CPS Overhead Conversion Fund, which sum is currently available for relocation of facilities; and

**WHEREAS**, this Ordinance will also authorize a one time expenditure from the 2002 Certificates of Obligation in the amount of \$113,732.00 to SBC for the relocation of their facilities; and

**WHEREAS**, approval of this ordinance will be a continuation of City policy to complete previously approved 1999 General Obligation Street Improvement Bond funded Capital Improvement Projects;  
**NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** Payment in the amount of \$113,732.00 to Southwestern Bell Telephone Company for relocation of facilities in connection with the Florida Street-IH 37 to St. Mary's Project is hereby authorized.

**SECTION 2.** The appropriation of \$754,400.00 from the CPS Overhead Conversion Fund for the construction of CPS infrastructure in connection with the Florida from I.H. 37 to St. Mary's Project is hereby authorized.

**SECTION 3.** The budget in Fund No. 43-172095, 2002 Street Improvements, shall be revised by reducing Index Code 753046, entitled "Unallocated Appropriations", by the amount of \$113,732.00.

**SECTION 4.** The amount of \$113,732.00 is appropriated in Fund No. 43-172011, 2002 Street Improvements, in Index Code 932517, entitled "Transfer to 45-979106 Florida Street-IH 37 To St. Mary's". The amount of \$113,732.00 is authorized to be transferred from 43-172011 to 45-979106.


**SECTION 5.** The budget in Fund No. 45-979000, 1999 Street Improvements, shall be revised by increasing Index Code 135418, entitled "Trf Fr 43-172011 (45-979106) Florida Street-IH 37 To St. Mary's", by the amount of \$113,732.00.

**SECTION 6.** The amount of \$113,732.00 is appropriated in Fund No. 45-979106, 1999 Street Improvements, in Index Code 771238, entitled "Construction SBC", and is authorized to be encumbered and made payable to **Southwestern Bell Telephone Co.** for relocation of their facilities in connection with the Florida Street-IH 37 to St. Mary's Project.

**SECTION 7.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

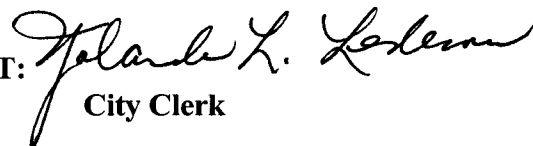
**SECTION 8.** This ordinance shall take effect on the 17th day of August 2003.

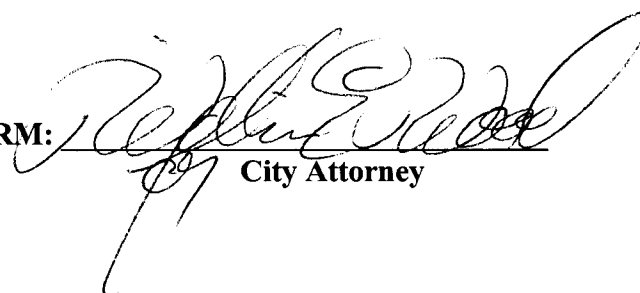
**PASSED AND APPROVED** this 7th day of August, 2003.



M A Y O R

EDWARD D. GARZA

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
City Attorney